

06-19-2001

Docket No.:



101753743

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

BDH TWO, Inc.

6.13.01

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State Delaware
☐ Other

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Corrective Assignment Nunc Pro Tunc effective

May 1, 1996

Execution Date: Effective May 1, 1996

2. Name and address of receiving party(ies):

Name: Borden Foods Investments Corporation

Internal Address: Suite 202 --One Little Falls Centre

Street Address: 2711 Centerville Road

City: Wilmington State: DE ZIP: 19808

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State Delaware
☐ Other

If assignee is not domiciled in the United States, a domestic designation is ☐ N
(Designations must be a separate document from ☐ N
Additional name(s) & address(es)

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.

817,475 509,667 1,640,969
1,706,041

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Cory M. Amron, Esquire

Internal Address: Vorys Sater Seymour and Pease LLP

Street Address: 1828 L Street, N.W.

11th Floor

City: Washington State: DC ZIP: 20036

6. Total number of applications and registrations involved:

4

7. Total fee (37 CFR 3.41): \$ \$115.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

22-0585

06/18/2001 GTDN11 00000187 817475

DO NOT USE THIS SPACE

01 FC:481 40.00 DP
02 FC:482 75.00 DP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cory M. Amron

Name of Person Signing

Cory Amron

Signature

June 13, 2001

Date

Total number of pages including cover sheet, attachments, and

4

TRADEMARK

REEL: 002315 FRAME: 0893

**CORRECTIVE
ASSIGNMENT NUNC PRO TUNC**

WHEREAS, on June 27, 1996, BORDEN, INC. executed an Assignment Nunc Pro Tunc, effective May 1, 1996 assigning certain trademarks to BORDEN FOODS INVESTMENTS CORPORATION ("1996 Assignment") including, the marks listed on Schedule A, attached hereto and made a part hereof ("Trademarks").

WHEREAS the Assignment was recorded in the Trademark Office at Reel 1522, Frame 0841.

WHEREAS, the Trademarks were owned by BDH TWO, INC. and were included in the Assignment in error;

WHEREAS, BORDEN, INC., BDS TWO, INC. (successor by merger to BDH TWO, INC.) and BORDEN FOODS INVESTMENTS CORPORATION, join in this assignment to correct this error and reflect their true intent regarding the Trademarks.

NOW, THEREFORE, for good and valuable consideration receipt of which is hereby acknowledged:

1. The parties hereto agree and acknowledge that the 1996 Assignment of the Trademarks was in error, was of no force and effect and is void, ab initio.

2. BDS TWO, INC. (successor by merger to BDH TWO, INC.), does hereby assign unto BORDEN FOODS INVESTMENTS CORPORATION, nunc pro tunc, as of May 1, 1996, all right, title, and interest in the United States in and to the Trademarks, together with the good will of the business as symbolized by the Trademarks and the registrations and applications therefor.

IN WITNESS WHEREOF, the parties have caused this Corrective Assignment
Nunc Pro Tunc to be executed by their respective duly authorized officers.

STATE OF Ohio)
)
COUNTY OF Franklin) ss

ELIZABETH M. BECKLEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 09-05-03

Elizabeth M. Beckley

On this 8th day of June, 2001, before me appeared Ellen German Berndt, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BORDEN, INC.

BORDEN, INC.

By: *Ellen German Berndt*

Name: Ellen German Berndt

Title: Secretary

Christine E. Lockwood
STATE OF Delaware) Commission expires
) 12/5/02 ss

COUNTY OF New Castle)

BDS TWO, INC. (successor by merger to
BDH TWO, INC.)

By: *Alyssa A. Anton*

Name: Alyssa A. Anton

Title: Vice President

On this 7th day of June, 2001, before me appeared Alyssa A. Anton, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BDS TWO, INC. (successor by merger to BDH TWO, INC.)

Christine E. Lockwood
STATE OF Delaware) Commission expires
) 12/5/02 ss

COUNTY OF New Castle)

BORDEN FOODS INVESTMENTS
CORPORATION

By: *Alyssa A. Anton*

Name: Alyssa A. Anton

Title: *Secretary*

On this 7th day of June, 2001, before me appeared Alyssa A. Anton, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BORDEN FOODS INVESTMENTS CORPORATION.

Schedule A

Mark	U.S. Registration No.	Registration Date
A-B-C-ETTES (Stylized letters)	817,475	October 25, 1986
Design of Cross	509,667	May 10, 1949
YOLK FREE!	1,640,969	April 9, 1991
YOLK-FREE!	1,706,041	August 4, 1992